UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP
BRADFORD GREEN, BUILDING 5
755 MAIN STREET, P O BOX 224
MONROE, CT 06468

EXAMINER
TANK, ANDREW L

ART UNIT	PAPER NUMBER
2175	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/820,432	TORVINEN, MARKO
Office Action Summary	Examiner	Art Unit	
	Andrew Tank	2175	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 September 2008</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-12,14-26,28-40 and 42-45</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-12,14-26,28-40 and 42-45</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
    application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
      Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
      Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   The following action is in response to the amendment filed September 2, 2008. Claims

12, 26 and 40 have been amended. Claims 13, 27, and 41 have been canceled. Claims 1-12, 14-

26, 28-40, and 42-45 are pending and have been considered below.

Claim Rejections - 35 USC § 112

2.   Applicant has successfully amended claims 12, 26 and 40 to overcome the indefinite

claims rejection of June 9, 2008. The corresponding rejections are withdrawn.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   **Claims 1-5, 8-12, 14-19, 22-26, 28-33, 36-40, and 42-45** are rejected under 35 U.S.C.

103(a) as being unpatentable over <u>Schilit</u> et al. (US 6,674,453), previously presented as "<u>Schilit</u>",

in view of Jill T. <u>Freeze</u>, "Sams Teach Yourself Microsoft Internet Explorer 5 in 10 Minutes",

published by Sams Publishing 1999, previously presented as <u>Freeze</u>, and in further view of <u>Dutta</u>

et al. (US 6,717,600), previously presented as "<u>Dutta</u>".

- **Claims 1, 15 and 29**: <u>Schilit</u> discloses a method for document link presentation and selection

  in an electronic device, the method comprising:

- o opening a first hypertext page comprising at least one separate link area containing a plurality of links in said electronic device (col 5 lines 9-16);

- o Schilit further discloses that link areas may contain a plurality of links (Fig. 5A navigation Menu has multiple links, Fig. 5B shows the parsed menu reflecting the links), but Schilit does not disclose the displaying of at least part of said first hypertext page in a movable view window in the area of said first hypertext page, nor the determining of a link area comprising a plurality of links nearest to a first point on said view window. However, Freeze discloses that when web pages, which include hyperlinks, overflow a screen's boundaries in Microsoft Internet Explorer 5™ that one can scroll both vertically and horizontally until the desired elements appear onscreen (page 32 "See the Whole Picture") as well as moving a cursor to determine a URL of a link (page 32 "Where am I going?"). Therefore, it would have been obvious to one of ordinary skill in the art with the teachings of Schilit and Freeze before them at the time the present invention was made to allow a user to navigate an open first hypertext page comprising links, as taught by Schilit, using a moveable view window with a cursor, as taught by Freeze. One would have been motivated to do this in order to better view a preformatted larger webpage without sacrificing the format for a smaller screen, as suggested by Freeze (page 32: "See the Whole Picture") and to allow the user greater freedom in their selection of links.

- o Schilit and Freeze disclose the moveable window method for viewing a hypertext page with links as above. Freeze further discloses an action occurring when the cursor is in proximity of a link (page 32 "Where am I going?"). Neither Freeze nor Schilit

explicitly disclose determining the distance between a first point on said view window and a first link area comprising a plurality of links; determining the distance between the first point on said view window and a second link area comprising a plurality of links; determining whether the first link area or the second link area is nearest to the first point on said view window and returning these links for use in a new link list. Dutta discloses a method for selecting regions in a user interface based on proximity detection (Abstract). In particular, Dutta discloses that the distances between the cursor and the objects to select are determined, and a selection is based on which is closer (Fig. 2D, col 4 lines 46-65: determination is made whether the cursor is in close proximity to a first link, if it is, further determination is made whether any other links are close to the cursor, if not, then the first link is selected). As Dutta discloses the use of hyperlink selection (Fig. 2A), it would have been obvious to one having ordinary skill in the art and the teachings of Schilit, Freeze, and Dutta before them at the time the present invention was made, to include the cursor-proximity selection method of Dutta in the navigable hypertext page method of Schilit and Freeze. One would have been motivated to do this in order to allow a greater variety of users access to hyperlink information, as suggested by Dutta (col 1 lines 28-42).

o   Schilit further discloses forming a link list comprising links associated w/ said link area (col 5 lines 35-61);

o   allowing a user to select a first link in the list (col 5 lines 41-42); and

- o opening a second hypertext page indicated by said first link in said electronic device (col 8 lines 25-34).

- **Claims 2, 16 and 30**: <u>Schilit</u>, <u>Freeze</u>, and <u>Dutta</u> disclose the method as in claims 1, 15 and 29 above, and <u>Schilit</u> further discloses the method comprising:

    - o activating said link list in response to a user interface event (col 5 lines 41-49); and

    - o presenting said link list in a separate window (col 5 lines 41-49).

- **Claims 3, 17 and 31**: <u>Schilit</u>, <u>Freeze</u>, and <u>Dutta</u> disclose the method as in claims 1, 15, and 29 above, and <u>Schilit</u> further discloses the method comprising:

    - o determining a logical order for at least two links in said link list based on a spatial order of the link descriptions on said first hypertext page (col 5 lines 51-53);

    - o assigning at least two keys in said electronic device for said at least two links based on said logical order (Figure 5B); and

    - o communicating said selection of said first link by pressing one of said at least two keys (col 5 lines 40-52).

- **Claims 4, 18 and 32**: <u>Schilit</u>, <u>Freeze</u>, and <u>Dutta</u> disclose the method as in claims 3, 17 and 31 above, and <u>Schilit</u> further discloses the method wherein said at least two keys are function keys (col 5 lines 24-26 "keypad").

- **Claims 5, 19 and 33**: <u>Schilit</u>, <u>Freeze</u>, and <u>Dutta</u> disclose the method as in claims 3, 17 and 31 above, and <u>Schilit</u> further disclose the method wherein said at least two keys are number keys (col 5 lines 24-26 "keypad").

- **Claims 8, 22 and 36**: <u>Schilit</u>, <u>Freeze</u>, and <u>Dutta</u> disclose the method as in claims 1, 15 and 29 above, and <u>Schilit</u> further discloses the method wherein said link area is a separate structural element in the source code for said hypertext page (col 5 lines 13-15 "parsed").

- **Claims 9, 23 and 37**: <u>Schilit</u>, <u>Freeze</u>, and <u>Dutta</u> disclose the method as in claim 1, 15 and 29 above, and <u>Schilit</u> further discloses that the electronic device is a mobile terminal (Abstract lines 3-5). <u>Schilit</u> do not disclose that said hypertext page is larger than the display on said electronic device. However, <u>Freeze</u> discloses that when web pages overflow a screen's boundaries in Microsoft Internet Explorer 5™ that one can scroll both vertically and horizontally until the desired elements appear onscreen (page 32 "See the Whole Picture"). Therefore it would have been obvious to one of ordinary skill in the art with the teachings of <u>Schilit</u>, <u>Freeze</u>, and <u>Dutta</u> before them at the time the present invention was made for a webpage to be larger than the display on the mobile terminal. One would have been motivated to include this as mobile devices tend to have small resolution screens and most web pages appear larger than them.

- **Claims 10, 24 and 38**: <u>Schilit</u>, <u>Freeze</u>, and <u>Dutta</u> disclose the method as in claims 9, 23 and 37 above, and <u>Schilit</u> further disclose that said hypertext page is specified using hypertext markup language (HTML) or extensible hypertext markup language (XHTML) (col 2 lines 25-34 and col 5 lines 9-11).

- **Claims 11, 25 and 39**: <u>Schilit</u>, <u>Freeze</u>, and <u>Dutta</u> disclose the method as in claims 1, 15 and 29 above, but do not specifically disclose the method wherein said view window is moved in the area of said hypertext page using a pointer device. However, <u>Freeze</u> shows clicking and dragging to scroll to the desired elements (page 32 "See the Whole Picture"). Further,

applicant shows the use of pointer devices such as finger-operated joysticks, mini-trackballs,

flat sliding buttons, and the standard mouse is known in the related art (Present Specification

page 3 lines 21-29). Therefore, it would have been obvious to one of ordinary skill in the art

with the teachings of <u>Schilit</u>, <u>Freeze</u>, and <u>Dutta</u> before them at the time the present invention

was made to allow a user to use a pointing device, such as a joystick, to navigate the view

window. One would have been motivated to do this in order to provide the user with a large

number of input choices.

- **Claims 12, 26 and 40**: <u>Schilit</u>, <u>Freeze</u>, and <u>Dutta</u> disclose the method as in claims 1, 15 and

  29 above, but do not specifically disclose the method wherein said electronic device is a

  SYMBIAN^{TM} operating system device. However, one of ordinary skill in the art at the time

  the present invention was made would know that in order for an electronic device to browse

  the Internet, the device would have to have some sort of existing software backbone in place,

  i.e. an operating system. Therefore, it would have been obvious to one of ordinary skill in

  the art at the time the present invention was made to have the electronic device the method is

  acting on to come installed with an operating system capable of accessing the internet such as

  WINDOWS 95^{TM}, WINDOWS 98^{TM}, WINDOWS XP^{TM}, SYMBIAN^{TM}, LINUX, X-

  WINDOWS^{TM}, etc. One would have been motivated to do this in order to have the method

  act on a preexisting operating system instead of spending resources in order to develop one's

  own.

- **Claims 14, 28 and 42**: <u>Schilit</u>, <u>Freeze</u>, and <u>Dutta</u> disclose the method as in claims 1, 15 and

  29 above, but do not specifically disclose the method wherein said electronic device is a

  GPRS or a UMTS terminal. However, applicant shows that it is well known in the art to use

General Packet Radio System (GPRS) for mobile terminals (Present Specification, page 3
lines 13-14). One of ordinary skill in the art at the time the present invention was made
would know that these mobile devices can be of various network varieties such as GPRS,
UMTS, or GSM. Therefore, it would have been obvious to one of ordinary skill in the art at
the time the present invention was made to allow the mobile device access to the GPRS,
UMTS, or GSM networks. One would have been motivated to do this in order to use an
existing protocol instead of spending resources in order to develop one's own.

- **Claims 43-45**: <u>Schilit</u>, <u>Freeze</u>, and <u>Dutta</u> disclose the computer program as in claim 29, but
  do not specifically disclose that the program is stored on a computer readable medium such
  as a removable memory card, or a magnetic or optical disk. However, one of ordinary skill
  in the art would know that a program by itself is just a series of words. In order for a
  program to produce a result, it needs to be stored in a medium that is operable on by a
  computer or electronic device. These computer readable mediums include internal memory,
  external memory and optical and magnetic disks. One would be motivated to place the
  program on an external device such as optical or removal memory in order to allow a user to
  place the program on separate electronic devices, thereby expanding the usability of the
  program.

5.   **Claims 6-7, 20-21 and 34-35** are rejected under 35 U.S.C. 103(a) as being unpatentable
over <u>Schilit</u>, <u>Freeze</u>, and <u>Dutta</u> in further view of <u>Ogletree</u>, "Microsoft Windows XP Unleashed",
by Terry W. <u>Ogletree</u>, published by Sams Publishing 2002, hereafter known as "<u>Ogletree</u>".

- **Claims 6, 20 and 34**: <u>Schilit</u>, <u>Freeze</u>, and <u>Dutta</u> disclose the method as in claims 1, 15 and 29
  above, but do not disclose that the first point is a stationary point on said view window.
  <u>Ogletree</u> shows the MouseKeys function in Microsoft WINDOWS XP™. The MouseKeys
  function allows a user to use keys to move the pointer on the screen (pages 113-114).
  Therefore, it would have been obvious to one of ordinary skill in the art at the time the
  present invention was made to place the cursor in the stationary position of the view window,
  and use the arrow keys to navigate the window, pressing the "5" button to make a selection
  when the cursor falls on the right spot, resulting in a stationary cursor and a moveable view
  window. One would have been motivated to do this in order for the method to appeal to a
  larger range of user, including those that prefer to use a keyboard or pad to a mouse or other
  pointing device. <u>Schilit</u> et al. further disclose the indicating of the nearest hyperlink, as
  suggested by <u>Schilit</u> (Fig. 6A-C).

- **Claims 7, 21 and 35**: <u>Schilit</u>, <u>Freeze</u>, <u>Dutta</u>, and <u>Ogletree</u> disclose the method as in claims 6,
  20 and 35 above, but do not specifically disclose that the cursor is placed at the center of the
  view window. However, one of ordinary skill in the art at the time the present invention was
  made would know that placing the key at a stationary point in the view window would mean
  that it could be placed at the center, bottom center, bottom left, top right, or any variation
  thereof the view window. Therefore it would have been obvious to one of ordinary skill in
  the art at the time the present invention was made to place the cursor at the center of the view
  window. One would have been motivated to do this in order to provide a more logical
  viewing experience for a user.

Response to Arguments

6.   Applicant's arguments filed on September 2, 2008, have been fully considered but they are not persuasive.

7.   It is noted that any citation to specific pages, columns, lines or figure in the prior art references and any interpretation of the references should not be considered to be limiting in anyway. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re *Heck*, 699 F.2d 1331, 133-2-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re *Lemelson*, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

8.   Applicant argues, page 10, that <u>Dutta</u> does not disclose or suggest determining the distances between the cursor and the object to select, and selecting the object based on which is closer. The Examiner respectfully disagrees.   As shown in the rejection of claim 1 above, <u>Dutta</u> does disclose proximity selection in column 4 lines 46-65. <u>Dutta</u> disclose that a determination is made whether the cursor is in close proximity to a first link, if it is, further determination is made whether any other links are close to the cursor, if not, then the first link is selected.

Conclusion

9.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Andrew Tank whose telephone number is 571-270-1692. The

examiner can normally be reached on Mon - Thur 0830-1700 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William Bashore can be reached on 571-272-4088. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. T./
Examiner, Art Unit 2175
December 7, 2008

/Kieu D Vu/
Primary Examiner, Art Unit 2175